

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CONSOLIDATED ACTION

Case No. 22-cv-60362-WPD

(consolidated with Case Nos. 22-cv-60422; 22-cv-60529; 22-cv-60530; 22-cv-60534)

TIMOTHY HALE, ALIX PRIZER,
JASON SIMS, BRENDA VALENCIA,
DINA JOSEPH, ANN CARAGANIS, BRITTANY
DECORDOVA, JEFF SMITH, LOREN SOLENDER,
SONJA BAUMAN, and ANDREA HUNTER, *individually
and on behalf of all others similarly situated,*

Plaintiffs,

v.

NORTH BROWARD HOSPITAL DISTRICT d/b/a
BROWARD HEALTH,

Defendant.

**JOINT MOTION TO RESET DEADLINES WITH RESPECT TO PLAINTIFFS’
RENEWED MOTION FOR REMAND**

The Parties hereby submit the following joint motion to reset deadlines with respect to Plaintiffs’ renewed motion for remand. In support of this motion the Parties state:

1. On August 11, 2022, this Court issued an order granting Plaintiffs ninety (90) days to conduct limited discovery narrowly tailored to assessing class citizenship for purposes of the home state or discretionary exceptions. The Court ordered that Plaintiffs file a renewed motion to remand no later than twenty-one (21) days after the close of jurisdictional discovery. ECF No. 28.
2. On November 30, 2022, Plaintiffs filed a renewed motion to remand in accordance with the Court’s order. ECF No. 46. The motion included a declaration from Plaintiffs’ third-party

administrator, Epiq Class Actions & Claims Solutions, Inc., who was tasked with conducting a telephone survey and skip tracing relating to class member citizenship for a sample of 1,100 putative class members. ECF No. 46-2. Pursuant to the local rules, Defendant's deadline for filing an opposition to the motion is December 14, 2022.

3. On December 2, 2022, Defendant's counsel sent a letter to Plaintiffs' counsel seeking more detailed information regarding the sampling results referenced in Epiq's declaration. That same day, Plaintiffs' counsel forwarded the letter to Epiq so it could determine what additional information it would be able to provide.

4. On December 5, 2022, Epiq informed Plaintiffs' counsel that in responding to the letter it discovered an error in which a small percentage of putative class members were assigned a factor of citizenship in a manner that deviated from the protocol communicated by Plaintiffs' counsel. Epiq committed that it would re-analyze the sampling data to ensure that it was properly tabulated in accordance with the protocol communicated by Plaintiffs' counsel.

5. On December 6, 2022, the parties participated in a teleconference wherein Plaintiffs' counsel informed Defendant's counsel that Epiq discovered an error which would necessitate Plaintiffs' filing of a corrected renewed motion to remand. The parties also conferred and agreed that Defendant's deadline to respond to the corrected motion would need to be extended.

6. Given this unforeseen circumstance, the parties jointly request that Defendant's deadline to respond to the renewed motion be extended to no later than twenty-one (21) days after Plaintiffs file their corrected renewed motion to remand. Plaintiffs anticipate filing a corrected renewed motion to remand on or before December 14, 2022.

Jointly Submitted,

ROBBINS GELLER RUDMAN
& DOWD LLP
DOROTHY P. ANTULLIS
Florida Bar No. 890421
STUART A. DAVIDSON
Florida Bar No. 0084824

/s/ Dorothy P. Antullis

DOROTHY P. ANTULLIS

120 East Palmetto Park Road, Suite 500
Boca Raton, FL 33432
Telephone: 561/750-3000
561/750-3364 (fax)
dantullis@rgrdlaw.com
sdavidson@rgrdlaw.com

KANTROWITZ, GOLDHAMER
& GRAIFMAN, P.C.
GARY S. GRAIFMAN
MELISSA R. EMERT
135 Chestnut Ridge Road, Suite 200
Montvale, NJ 07645
Telephone: 845/356-2570
845/356-4335 (fax)
ggraifman@kgglaw.com
memert@kgglaw.com

THE GRANT LAW FIRM, PLLC
LYDIA J. GRANT
521 Fifth Avenue, 17th Floor
New York, NY 10175
Telephone: 212/292-4441
212/292-4442 (fax)
lgrant@grantfirm.com

STUEVE SIEGEL HANSON LLP
NORMAN E. SIEGEL (*pro hac vice*)
J. AUSTIN MOORE (*pro hac vice*)
KASEY YOUNGENTOB (*pro hac vice*)

/s/ J. Austin Moore

J. AUSTIN MOORE

460 Nichols Road, Suite 200
Kansas City, MO 64112
Telephone: 816/714-7100
siegel@stuevesiegel.com
moore@stuevesiegel.com
youngentob@stuevesiegel.com

Attorneys for Plaintiffs

/s/ Mark L. Krotoski

Mark L. Krotoski
MORGAN, LEWIS & BOCKIUS LLP
1400 Page Mill Road
Palo Alto, California 94304
Phone: (650) 843-4000
mark.krotoski@morganlewis.com
Admitted pro hac vice

Phillip Wiese
MORGAN, LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, California 94105
Phone: (415) 442-1000
phillip.wiese@morganlewis.com
Admitted pro hac vice

AND

Peter R. Goldman
Florida Bar No. 860565
Nina Welch
Florida Bar No. 118900
Danna Khawam
Florida Bar No. 1025114
NELSON MULLINS
100 S.E. Third Avenue, Suite 2700
Fort Lauderdale, Florida 33394
Phone: (952)764-7060 / Fax: (954)761-8135
peter.goldman@nelsonmullins.com
nina.welch@nelsonmullins.com
danna.khawam@nelsonmullins.com

*Counsel for North Broward Hospital
District d/b/a Broward Health*

